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BY ECF AND U.S. MAIL

Honorable William H. Pauley III
United States District Court Judge
United States Courthouse
500 Pearl Street, Room 2210
New York, New York 10007-1312

Re: *In Re: Crude Oil Commodity Futures Litigation*, 11 Civ. 3600 (WHP) (S.D.N.Y.)

Dear Judge Pauley:

Plaintiffs are respectfully writing this letter in order to report the status of two matters in light of the denial today by the Second Circuit Court of Appeals of the stay and expedited appeal treatment requested by various non-parties with respect to Your Honor's Order [Docket No. 160] that the non-party documents be produced to Plaintiffs. A copy of the order entered by the Second Circuit today is enclosed herewith.

First, Plaintiffs' reply papers on class certification are now due on January 8, 2014, *i.e.*, twenty-nine days from today's ruling by the Court of Appeals. *See* Docket No. 184. Also, the Revised Scheduling Order [Docket No. 184] provides that the Court would re-schedule oral argument on Plaintiffs' motion for class certification after the stay entered by the Second Circuit had been lifted.

Second, Plaintiffs hereby withdraw and the Court need not rule on Plaintiffs' emergency letter motion filed yesterday, Monday, December 9. *See* Docket No. 185. Plaintiffs are conferring with Defendants and the non-parties about an efficient resolution of the problem that Plaintiffs have not had a chance to review the non-party documents, yet the non-party depositions are on-going. Plaintiffs hope that that issue may be consensually resolved. In any event, there is no need for the Court to consider such issue at this point.

Thank you very much.

Respectfully submitted,

/s/ Christopher Lovell

Christopher Lovell

cc: Counsel of Record (by ECF)